# TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

**FROM/PHONE:** Chief John George/693-8320

Prepared by: Nina B. Valdez

**SUBJECT:** Resolution

**AFFECTED DISTRICT:** District 3

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN PINE ISLAND BAY HOMEOWNERS ASSOCIATION, INC. AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.

**REPORT IN BRIEF:** Pine Island Bay Homeowners Association, Inc., would like to enter into an agreement with the Town of Davie Police Department, wherein the owner/association specifically grants the Town power and authority to enforce traffic control on the property of the owner/association, which is required by law to enable enforcement of traffic laws on private roadways and streets within this community.

**PREVIOUS ACTIONS:** N/A

**CONCURRENCES:** N/A

### **FISCAL IMPACT:**

Has request been budgeted: N/A If yes, expected cost: \$

Account Name: If no, amount needed: \$

What account will funds be appropriated from:

Additional Comments:

**RECOMMENDATION(S):** Motion to approve resolution

**Attachment(s):** Resolution Agreement for Traffic Control (signed by Pine Island Bay Homeowners Association, Inc. )

A RESO	LUTION	OF	THE '	TOWN	OF	DAVIE	FLOI	RIDA.	AUTHO	ORIZING	THE M	<b>IAYOR</b>	TO
						,		,		ND BAY			
ASSOCI	ATION,	INC.	AND	THE	TOV	VN OF	DAVII	E POL	ICE DE	PARTME	NT FOI	R TRAI	FFIC

RESOLUTION

CONTROL.

**WHEREAS,** Pine Island Bay Homeowners Association, Inc. and the Davie Police Department would like to enter into an "Agreement for Traffic Control" and

**WHEREAS**, Pine Island Bay Homeowners Association, Inc. has the authority to sign said agreements, and has done so; and

WHEREAS, the Davie Police Department requests the Mayor add his signature to said Agreement;

### NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA

**SECTION 1.** The Town Council of the Town of Davie hereby authorizes the Mayor to execute the "Agreements for Traffic Control," attached hereto as Exhibit A.

**SECTION 1.** This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTE	D THIS	day of	, 2005		
			NAME OF THE PARTY AND THE PART		
ATTEST:			MAYOR/COUNCIL MEMBER		
TOWN CLERK					
APPROVED THIS	DAY OF		2005		

#### AGREEMENT FOR TRAFFIC CONTROL

The Town of Davie, Florida, a municipal corporation of the State of Florida, (hereinafter referred to as the "Town"), and Pine Liland Confidence of Local Chereinafter referred to as the "Owner"), agree on this bay of March , 2005, to enter into the following Traffic Jurisdiction Agreement.

WHEREAS, the Owner currently holds legal title to that parcel of real property which is the subject of this Agreement, as more particularly described on Exhibit "A" attached hereto (the "Property" or "Common Areas"); and

WHEREAS, the Town, its duly appointed officers, employees and agents, recognizes that it has full power and jurisdiction to enforce all laws of the nation, state, county and city, duly enacted, excluding those traffic control and enforcement of same on the private property of Owner; and

WHEREAS, the Owner wishes to specifically grant the Town the power and authority to enforce traffic control on the Property and to grant an easement for ingress and egress for said purpose; and

WHEREAS, pursuant to Florida Statutes §316.006(2)(b), Owner wishes to have the Town exercise jurisdiction for traffic regulation over a private or limited access road or roads (the "Roads"), owned or maintained by Owner upon the property.

### WITNESSETH

**NOW, THEREFORE**, for and in consideration of the mutual covenants and undertakings of the parties hereto, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree as follows:

- 1. The foregoing recitals are true and correct and are incorporated herein by reference.
- 2. The Owner agrees that the Town shall have jurisdiction to enforce state, county and city traffic regulations over any Roads within the private property.
- 3. The Town hereby agrees to exercise jurisdiction for traffic control purposes over any Roads within the private property.
- 4. Either party may terminate this Agreement upon sixty (60) days written notice to the other party.
- 5. The Owner, in further consideration for the above stated commitments of the Town, does hereby declare, establish, provide, give and grant to the Town, its successors, administrators and assigns, a non-exclusive easement for ingress and egress over the

private property for the purpose of providing traffic control.

- 6. The Owner agrees to indemnify and hold the Town of Davie, its officers and elected officials, its employees, assigns and agents, the Town of Davie Police Department, its employees, agents and assigns, and the Police Chief, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or damage to property caused by or arising from any lawful action(s) effectuated by members of the Town of Davie authorized by this Agreement. Nothing in this Agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statute §768.28.
- 7. The Owner agrees to reimburse the Town of Davie for any actual costs of traffic control and enforcement necessitated by this Agreement over and above the normal costs of traffic control and enforcement typically incurred by the Town of Davie in exercising such control over all streets and highways located within its boundaries, such as additional costs related to signage conforming with state law.
- 8. Any notices required under this Agreement shall be deemed to have been duly given on the date said notice was mailed by United States Certified Mail, Return Receipt Requested, postage prepaid, and addressed to the Town or the Owner, as the case may be, at the address set below for each such party, or to such other address as any party may, from time to time, specify by written notice to all other parties.
- 9. No change or modification of this Agreement shall be valid unless in writing and signed by all parties hereto.
- 10. The Owner expressly understands and agrees that nothing contained herein is intended or should be construed as creating or establishing a duty or obligation of the Town to provide traffic jurisdiction to the private property. The Town's presence on, or use of the premises, does not in any way create or establish in favor of Owner a level of prevention or the enforcement of traffic laws greater than the Town owes to the general public.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals for the purposes herein expressed on the day and year first above written.

WITNESSES:	THE TOWN OF DAVIE, FLORIDA
BY:	Signature
	TITLE:
Print Name	ADDRESS:
Signature	
Signature	
	ATTESTED BY:
Print Name	
	TOWN ATTORNEY Approved as to form and legality for the use and reliance of the Town of Davie, Florida, only
STATE OF FLORIDA COUNTY OF BROWARD	
The foregoing instrument was acknowly	owledged before me this day of, 200_, , of the Town of Davie, Florida, a municipal
corporation of the State of Florida, who is as identification	, of the Town of Davie, Florida, a municipal personally known to me, or who has produced and who did/did not take an oath.
	NOTARY PUBLIC, State of Florida
	Type, Stamp, Print Name
	MY COMMISSION EXPIRES:

WITNESSES:	OWNER::
Signature	BY: Jerry Philpot Community Association oranges for the Board of Dreedows
Print Name  Lisely Carul Hall	ADDRESS: % Landmark Management Services; Inc. 12323 Sov 55 St., Swite 1002 Cooper Lity, FL 33330
Signature  BOHO MASSOTH BOLL W  Print Name	lasopt
STATE OF FLORIDA COUNTY OF BROWARD	
The foregoing instrument was acknown to me, or who has product who did/did not take an oath.	nowledged before me this 16 day of Mars, 2005, who is deed as identification, and
	Farhat Ahmed. NOTARY PUBLIC, State of Florida
	FARHAT AHMED Type, Stamp, Print Name
	MY COMMISSION EXPIRES:
	FARHAT AHMED  MY COMMISSION # DD 267434  EXPIRES: November 16, 2007  1-800-NOTARY FL Notary Discount Assoc. Co.

### DAVIE POLICE DEPARTMENT

1230 South Nob Hill Road Davie, FL 33324 (954) 693-8200 FAX (954) 693-8399 (Road Patrol)

### **AUTHORITY TO ENTER PREMISES AGREEMENT**

Pine Island Bay Homeowners Description, Inc., a Florida Corporation,
(Name of Corporation) Physical Lucation — Pine Island & Overage Orine
located at Landmark Manage and Services 12323 Sw555+, Swite 1802, Florida, hereby
(Address & Phone No. are required) Corporation, Florida, hereby
authorizes the Town of Davie Police to enter the below described property, located in
the Town of Davie, Broward County, Florida, without limitations or restrictions and at
their discretion to enforce municipal traffic laws, criminal state statutes and municipal
ordinances and perform any and all police-related activity.

### LEGAL DESCRIPTION OF PROPERTY

(See example - "Exhibit A" attached)

(Name of Corporation) expressly understands and

agrees that since the above-described property is privately owned, the Town of Davie Police Department may choose not to conduct routine patrol upon said

property nor accepts the obligation to conduct routine police-related activities on said property.

The Town of Davie Police may arrest, at its discretion, those person(s) believed to be trespassing or committing other criminal violations on said property.

Upon an arrest for a criminal violation, Property to a grees to assist in the criminal prosecution of said offender.

hereby agrees to communicate the terms and conditions of this agreement to any and all parties present on the above-described property by reason of lease, rental, assignment, contract, invitation, employments, etc.

further agrees to notify the Town of Davie through the Chief of Police for the Town of Davie Police Department ninety (90) days prior to the sale, transfer or assignment of the property or any portion thereof. This notification must be accomplished through United States Mail, certified, return receipt requested.

Proc Is In Cong Han agrees to indemnify and hold the Town of Davie, its employees, assigns and agents, the Town of Davie Police Department, its officers, employees, agents and assigns, and Police Chief John A. George, his heirs and assigns, harmless from and against any and all claims or causes of action resulting from personal injury or loss to property caused by or arising from an arrest(s) or other lawful action(s) effectuated by members of the Town of Davie Police Department.

Nothing in this agreement shall be construed to effect in any way the Town's rights, privileges and immunities as set forth in Florida Statutes 768.28.

Pine Is and Bay HOA expressly understands and agrees
that nothing contained herein is intended or should be construed in any way as creating
or establishing the duty or obligation of the Town of Davie to provide security or
protection to the above-described property. Pin Is) and By NOA
further understands and agrees that nothing contained herein is intended or
should be construed in any way to obligate the Town of Davie Police Department to
perform routine patrol or other police-related functions on or about the above-described
property.
The Town of Davie's presence on, or use of the premises, does not in any
way create or establish in favor of Pine Island Buy Hoh a level of
prevention and detection of crime or the enforcement of the penal, criminal, traffic, or
highway laws of the State greater than the Town of Davie owes to the general public.
Either party to this agreement may terminate this agreement at will
providing that sixty (60) days written notice establishing such intent is served upon the
other party by certified mail, return receipt requested.
STATE OF FLORIDA COUNTY OF BROWARD  County of Browa
The foregoing instrument was acknowledged before me this 14 day of March  20 05, by Jerry Phil of of Land March Congress Strates who is personally known to me, or who has produced as identification, and who did did not take an oath.
Falat Akulal  NOTARY PUBLIC, State of Florida  FARHAT ATIMED
FARHAT AHMED  MY COMMISSION # DD 287434  EXPIRES: November 16, 2007  1-8003-NOTARY  FL Notary Discount Assoc. Co.

#### LAND DESCRIPTION PINE ISLAND BAY COMMON AREA "O"

A portion of Parcel "A". SOUTHERN BELL DAVIE NO. 1 according to the plat thereof as recorded in Plat Book 116. Page 35 of the Public Records of Broward County. Florida more particurlarly described as follows:

COMMENCE at the northeast corner of said Parcel "A", thence South 88°32'00" West, 75.25 feet along the north line of said parcel to the POINT OF BEGINNING:

Thence South 02°08'23" East, 68.88 feet along a line lying 75.25 feet west of and parallel with the east line of said Parcel "A" to Reference Point "A", said point being on the arc of a nontangent curve (radial line through said point bears South 60°26'56" West):

Thence northwesterly along the arc of said curve being concave to the northeast, having a radius of 299.00 feet, a central angle of 05°43'35" and an arc length of 29.88 feet;

Thence North 23'49'29" West, 45.25 feet to a point on said north line of said Parcel "A";

Thence North 88°32'00" East. 29.13 feet along said line to the POINT OF BEGINNING.

#### TOGETHER WITH:

COMMENCE at Reference Point "Å", thence southeasterly along the arc of a curve being concave to the northeast having a radius of 299.00 feet, a central angle of  $00^{\circ}57'18"$  and an arc length of 4.98 feet to the POINT OF BEGINNING:

Thence North 88°32'00" East. 25.04 feet along a line lying 73.25 feet south of (as measured at right angles) and parallel with north line of said Parcel "A" to Reference Point "B";

Thence South 50°38'38" West, 21.75 feet to a point on the arc of a nontangent curve (radial line through said point bears South 56°31'19" West);

Thence northwesterly along the arc of said curve being concave to the northeast, having a raduis of 299.00 feet, a central angle of 02°58'19" and an arc length of 15.51 feet to the POINT OF BEGINNING.

### TOGETHER WITH:

COMMENCE at Reference Point "B", thence North 88°32'00" East, 18.70 feet along a line lying 73.25 feet (as measured at right angles) south of and parallel with the north line of said Parcel "A" to the POINT OF BEGINNING:

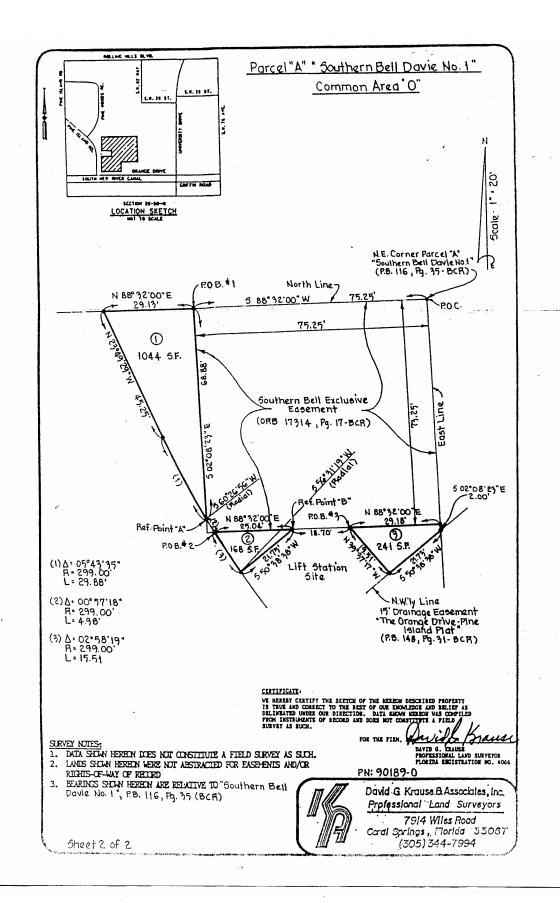
Thence continue North 88°32'00" East, 29.18 feet to a point on the east line of said Parcel "A";

Thence South 02°08'23" East, 2.00 feet along said line to a point on the northwesterly line of a 15.00 foot wide drainage easement as shown on "THE ORANGE DRIVE" PINE ISLAND PLAT" as recorded in Plat Book 148. Page 31 of the Public Records of Broward County, Florida:

Thence South 50°38'38" West, 21.73 feet along said line;

Thence North 39°37'17" West. 19.51 feet to the POINT OF BEGINNING.

All of said land lying in the town of Davie, Broward County, Florida containing 0.033 acres more or less.



### LAND DESCRIPTION THE ORANGE DRIVE-PINE ISLAND PLAT LAKE AREA

Portions of Parcels "B" and "D"; THE ORANGE DRIVE-PINE ISLAND PLAT according to the plat thereof as recorded in Plat Book 148, Page 31 in the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the most southeasterly corner of said Parcel "B" and the northeast corner of Parcel "A" ALPINE CENTER according to the plat thereof as recorded in Plat Book 120, Page 3 in the Public Records of Broward County, Florida; thence South 88°29'26" West along the south line of said Parcel "B" and the north line of said ALPINE CENTER a distance of 335.45 feet;

Thence North 01°30'34" West, 170.00 feet to the POINT OF BEGINNING;

Thence South 88°29'26" West along a line lying 170.00 feet north of and parallel with the South line of said Parcel "B" 492.14 feet;

Thence northwesterly along the arc of a tangent curve being concave to the northeast having a radius of 159.00 feet, a central angle of 67°41'05" and an arc distance of 187.83 feet:

Thence North 23°49'29" West, 179.81 feet;

Thence northeasterly along the arc of a tangent curve being concave to the southeast having a radius of 25.00 feet, a central angle of 124°49'46" and an arc distance of 54.47 feet;

Thence South 78°59'44" East, 154.95 feet;

Thence northeasterly along the arc of a tangent curve being concave to the northwest having a radius of 298.00 feet, a central angle of 85°08'03" and an arc distance of '442.79 feet;

Thence North 15°52'13" East, 59.92 feet;

Thence northeasterly along the arc of a tangent curve being concave to the southeast having a radius of 30.00 feet, a central angle of 72°39'47" and an arc distance of 38.05 feet;

Thence North 88°32'00" East along a line lying 266.00 feet south of and parallel with the north line of said Parcel "B" a distance of 126.93 feet;

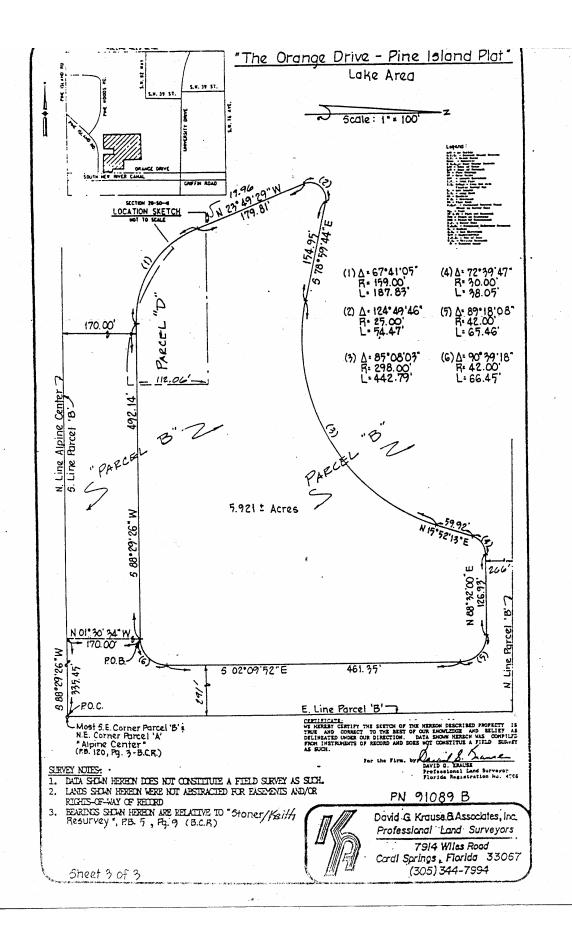
Thence southeasterly along the arc of a tangent curve being concave to the southwest having a radius of 42.00 feet, a central angle of 89°18'08" and an arc distance of 65.46 feet;

Thence South 02°09'52" East along a line lying 291.00 feet west of and parallel with the east line of said Parcel "B" a distance of 461.35 feet;

Thence southwesterly along the arc of a tangent curve being concave to the northwest having a radius of 42.00 feet, a central angle of 90°39'18" and an arc distance of 66.43 feet to the POINT OF BEGINNING.

Said land lying and being in the Town of Davie, Broward County, Florida containing 5.921 acres more or less.

Prepared By:
DAVID G. KRAUSE & ASSOC., INC.
7914 Wiles Road
Coral Springs, F1 33067
January 20, 1992
PN: 91089B



## LAND DESCRIPTION PINE ISLAND BAY INGRESS/EGRESS EASEMENT

A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148, Page 31 and a portion of Parcel "A", SOUTHERN BELL DAVIE NO. 1 according to the plat thereof as recorded in Plat Book 116, Page 35 all of the Public Records of Broward County, Florida more particularly described as follows:

A strip of land 60.00 feet in width lying 30.00 feet on each side of the following described centerline:

COMMENCE at the northwest corner of Parcel "C" of "THE ORANGE DRIVE-PINE ISLAND PLAT", thence South 02007'53" East along the west line of said Parcel "C" a distance of 581.46 feet to the most southerly corner of said Parcel "C" and the easterly right-of-way line of Pine Island Road and the arc of a nontangent curve as shown on said plat (radial line through said point bears North 70027'50" East); thence southeasterly along the arc of said curve and said right-of-way line being concave to the southwest having a radius of 1201.28 feet, a central angle of 01025'52" and an arc distance of 30.00 feet to the POINT OF BEGINNING of said centerline; thence North 71053'18" East, 141.20' feet along a line lying 30.00 feet southeasterly of (as measured at right angles) and parallel to the northwesterly line of a Southern Bell Access And Public Drainage Easement as shown on said plat to Reference Point "A";

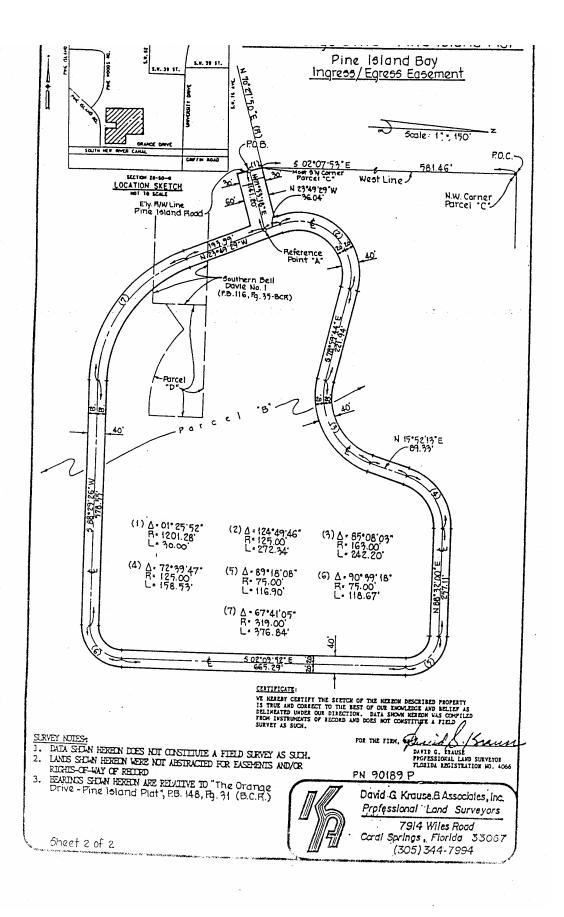
#### TOGETHER WITH:

A strip of land 40.00 feet in width lying 20.00 feet on each side of the following described centerline:

BEGIN at Reference Point "A", thence North 23049'29" West, 36.04 feet; thence northeasterly along the arc of a tangent curve being concave to the southeast, having a radius of 125.00 feet, a central angle of 124049'46" and an arc distance of 272.34 feet; thence South 78°59'44" East, 221.94 feet; thence northeasterly along the arc of a tangent curve being concave to the northwest, having a radius of 163.00 feet, a central angle of 85008'03" and an arc distance of 242.20 feet; thence North 15052'13" East, 89.33 feet; thence northeasterly along the arc of a tangent curve being concave to the southeast having a radius of 125.00 feet, a central angle of 72°39'47" and an arc distance of 158.53 feet; thence North 88°32'00" East, 257.11 feet; thence southeasterly along the arc of a tangent curve being concave to the southwest having a radius of 75.00 feet, a central angle of 89°18'08" and an arc distance of 116.90 feet; thence South 02°09'52" East, 665.29 feet; thence southwesterly along the arc of a tangent curve being concave to the northwest having a radius of 75.00 feet, a central angle of 90039'18" and an arc distance of 118.67 feet; thence North 88029'26" West, 578.55 feet; thence northwesterly along the arc of a tangent curve being concave to the northeast having a radius of 319.00 feet, a central angle of 67041'05" and an arc distance of 367.84 feet; thence North 23049'29" West, 193.99 feet to Reference Point "A" and the POINT OF TERMINATION of said centerline.

Said land lying in the town of Davie, Broward County, Florida containing 3.223 acres more or less.

Prepared By: DAVID G. KRAUSE & ASSOC., INC. 7914 Wiles Road Coral Springs, Fl 33067 September 21, 1992 PN: 91089J



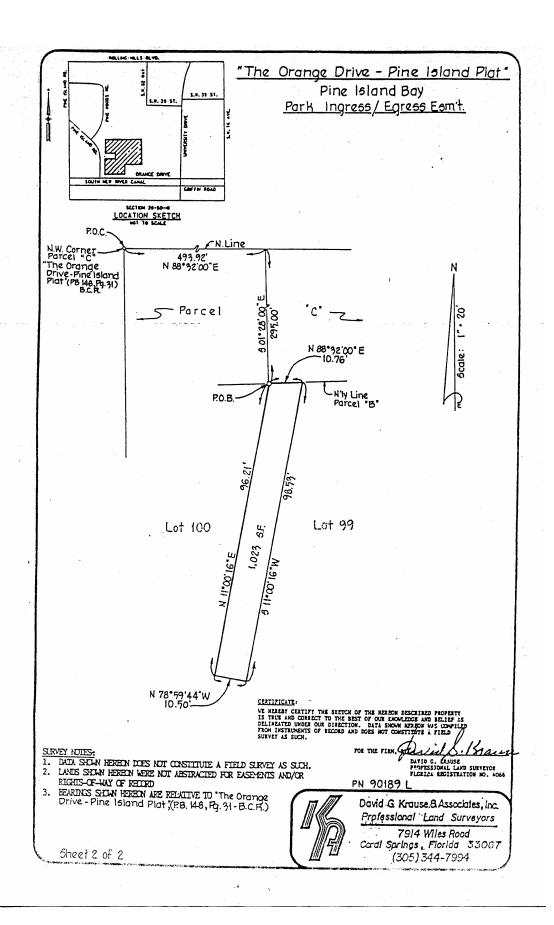
# LAND DESCRIPTION PINE ISLAND BAY PARCEL "C" PARK INGRESS/EGRESS EASEMENT

A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148, Page 31 of the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the northwest corner of Parcel "C" of said plat, thence North 88°32'00" East, 493.92 feet along the north line of said Parcel "C"; thence South 01°28'00" East, 25.00 feet to the POINT OF BEGINNING, said point being on the northerly line of said Parcel "B"; thence North 88°32'00" East, 10.76 feet along said line; thence South 11°00'16" West, 98.53 feet; thence North 78°59'44" West, 10.50 feet; thence North 11°00'16" East, 96.21' feet to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 1,023 square feet more or less.

Prepared By: DAVID G. KRAUSE & ASSOC., INC. 7914 Wiles Road Coral Springs, Fl 33067 September 21, 1992 PN: 91089L



## LAND DESCRIPTION PINE ISLAND BAY 25' WIDE NON-DEVELOPABLE PARCEL "M"

A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148, Page 31 of the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the northeast corner of "THE ORANGE DRIVE-PINE ISLAND PLAT", thence South 88°32'00" West, 25.00 feet along the north line of said plat to the POINT OF BEGINNING; thence South 02°09'52" East, 160.00 feet along a line lying 25.00 feet west of and parallel with the east line of said plat; thence South 87°50'08" West, 25.00 feet; thence North 02°09'52" West, 135.00 feet along a line lying 50.00 feet west of and parallel with said east line and also being coincident with the west line of a 50.00 foot canal easement as shown on said plat; thence South 88°32'00" West, 624.47 feet along a line lying 25.00 feet south of and parallel with the north line of said Parcel "B" to a point on the west line of said Parcel "B"; thence North 02°08'52" West, 25.00 feet along said west line to the north line of said Parcel "B"; thence North 88°32'00" East, 649.47 feet along said north line of said Parcel "B" to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 0.450 Acres more or less.

Prepared By: David G. Krause & Associates Inc. 7914 Wiles Road Coral Springs, FL 33067 September 21, 1992 PN: 91089M

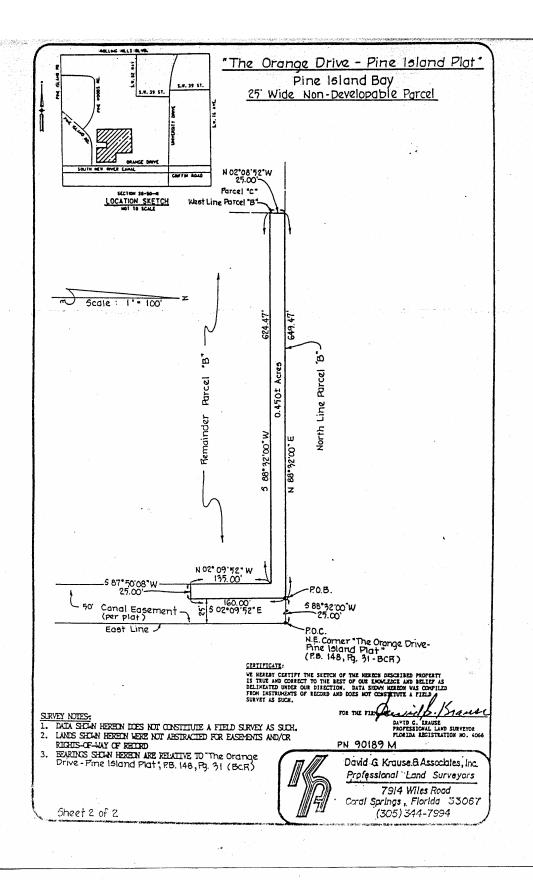
## LAND DESCRIPTION PINE ISLAND BAY 25' WIDE NON-DEVELOPABLE PARCEL "M"

A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148, Page 31 of the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the northeast corner of "THE ORANGE DRIVE-PINE ISLAND PLAT", thence South 88°32'00" West, 25.00 feet along the north line of said plat to the POINT OF BEGINNING; thence South 02°09'52" East, 160.00 feet along a line lying 25.00 feet west of and parallel with the east line of said plat; thence South 87°50'08" West, 25.00 feet; thence North 02°09'52" West, 135.00 feet along a line lying 50.00 feet west of and parallel with said east line and also being coincident with the west line of a 50.00 foot canal easement as shown on said plat; thence South 88°32'00" West, 624.47 feet along a line lying 25.00 feet south of and parallel with the north line of said Parcel "B" to a point on the west line of said Parcel "B"; thence North 02°08'52" West, 25.00 feet along said west line to the north line of said Parcel "B"; thence North 88°32'00" East, 649.47 feet along said north line of said Parcel "B" to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 0.450 Acres more or less.

Prepared By: David G. Krause & Associates Inc. 7914 Wiles Road Coral Springs, FL 33067 September 21, 1992 PN: 91089M



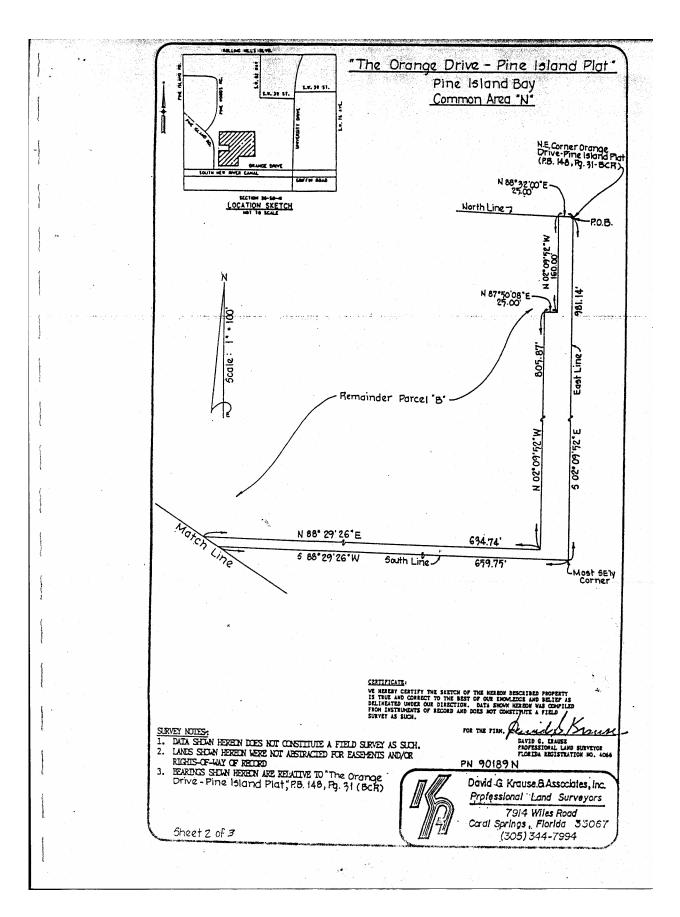
### LAND DESCRIPTION PINE ISLAND BAY COMMON AREA "N"

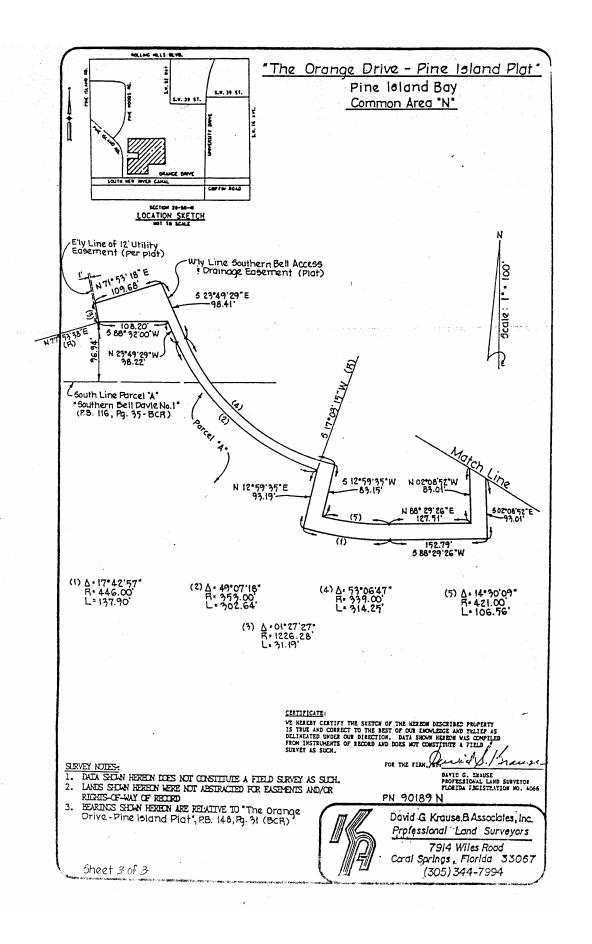
A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148, Page 31 and a portion of Parcel "A", SOUTHERN BELL DAVIE NO. 1 according to the plat thereof as recorded in Plat Book 116, Page 35 all of the Public Records of Broward County, Florida more particularly described as follows:

BEGIN at the northeast corner of "THE ORANGE DRIVE-PINE ISLAND PLAT", thence South 02°09'52" East, 981.14 feet along the east line of said plat to the most southeasterly corner of said plat; thence South 88°29'26" West, 659.75 feet along the south line of said plat; thence South 02°08'52" East, 93.01 feet; thence South 88°29'26" West, 152.79 feet; thence northwesterly along the arc of a tangent curve being concave to the northeast, having a radius of 446.00 feet, a central angle of 17042'57" and an arc distance of 137.90 feet; thence North 12059'35" East, 93.19 feet to a point on the arc of a nontangent curve (radial line through said point bears South 17003'15" West); thence northwesterly along the arc of said curve being concave to the northeast, having a radius of 353.00 feet, a central angle of 49007'18" and an arc distance of 302.64 feet (the last seven (7) courses being coincident with the boundary of said Parcel "B"); thence South 88032'00" West, 108.20 feet along a line lying 96.94 feet north of and parallel with the south line of said Parcel "A", SOUTHERN BELL DAVIE NO. 1 to a point on the arc of a nontangent curve (radial line through said point bears North 77053'38" East); thence northwesterly along the arc of said curve being concave to the southwest, having a radius of 1226.28 feet, a central angle of 01°27'27" and a arc distance of 31.19 feet (the last described line lying 1.00 feet easterly of and concentric with the easterly line of a 12.00 foot wide utility easement as shown on said plat); thence North 71°53'18" East, 109.68 feet to a point on the vesterly line of a SOUTHERN BELL ACCESS AND DRAINAGE EASEMENT as shown on said plat; thence South 23049'29" East, 98.41 feet along said line; thence southeasterly along the arc of a tangent curve being concave to the northeast, having a radius of 339.00 feet, a central angle of 53°06'47" and a arc distance of 314.25 feet; thence South 12059'35" West, 83.15 feet to a point on the arc of a radially tangent curve; thence southeasterly along the arc of said curve being concave to the northeast, having a radius of 421.00 feet, a central angle of 14030'09" and an arc distance of 106.56 feet; thence North 88°29'26" East, 127.51 feet; thence North 02°08'52" West, 83.01 feet; thence North 88°29'26" East, 634.74 feet along a line lying 15.00 feet north of and parallel with the south line of said Parcel "B"; thence North 02009'52" West, 805.87 feet along a line lying 50.00 feet west of and parallel with the east line of said plat; thence North 87°50'08" East, 25.00 feet; thence North 02°09'52" West, 160.00 feet along a line lying 25.00 feet west of and parallel with said east line to a point on the north line of said Parcel "B"; thence North 88032'00" East, 25.00 feet along said line to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 1.747 acres more or less.

Prepared By:
DAVID G. KRAUSE & ASSOC., INC.
7914 Wiles Road
Coral Springs, F1 33067
September 21, 1992
PN: 91089N





#### LAND DESCRIPTION PINE ISLAND BAY COMMON AREA "P"

A portion of Parcel "B", "THE ORANGE DRIVE-PINE ISLAND PLAT according to the plat thereof as recorded in Plat Book 148, Page 31 of the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the northwest corner of Parcel "C" of said plat, thence South 02°07'53" East along the west line of said Parcel "C" a distance of 581.46 feet to the most southerly corner of said Farcel "C" and the easterly right-of-way line of Pine Island Road and the most westerly corner of a Southern Bell Access and Public Drainage Easement as shown on said plat:

Thence North 71°53'18" East, 31.18 feet along the northwesterly line of said easement to the POINT OF BEGINNING:

Thence continue North 71°53'18" East. 87.29 feet:

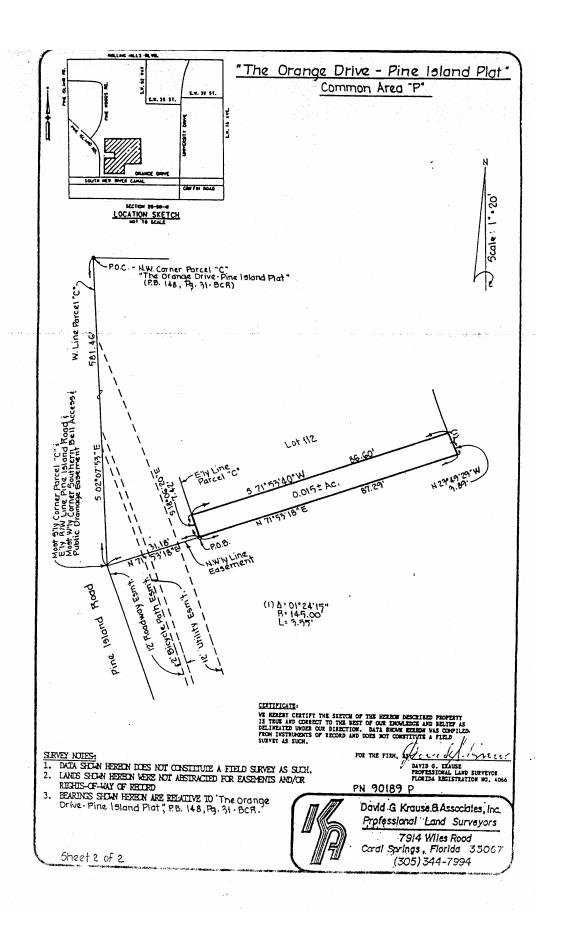
Thence North 23'49'29" West, 3.89 feet;

Thence northwesterly along the arc of a tangent curve being concave to the northeast, having a radius of 145.00 feet; as central angle of 01\*24\*15" and an arc length of 3.55 feet;

Thence South 71°53'40" West, 86.60 feet to a point on the easterly line of Parcel "C" of said plat:

Thence South 18°06'20" East, 7.42 feet along said line to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 0.015 acres more or less.



#### LAND DESCRIPTION PINE ISLAND BAY COMMON AREA "Q"

A portion of Parcel "B". "THE ORANGE DRIVE-PINE ISLAND PLAT" according to the plat thereof as recorded in Plat Book 148. Page 31 of the Public Records of Broward County, Florida more particularly described as follows:

COMMENCE at the northwest corner of Parcel "C" of said plat, thence South 02°07'53" East along the west line of said Parcel "C" a distance of 581.46 feet to the most southerly corner of said Parcel "C" and the easterly right-of-way line of Pine Island Road as shown on said plat; said point being on the arc of a nontangent curve (radial line through said point bears North 70°27'50" East):

Thence southeasterly along the arc of said curve being concave to the southwest, having a radius of 1,201.28 feet, a central angle of 02°51'43" and an arc length of 60.01 feet to the POINT OF BEGINNING, said point being on the southeasterly line of a Southern Bell Access and Public Drainage Easement as shown on said plat:

Thence North 71'53'18" East, 124.48 feet along said line:

Thence South 23'49'29" East. 25.12 feet along the westerly line of said easement:

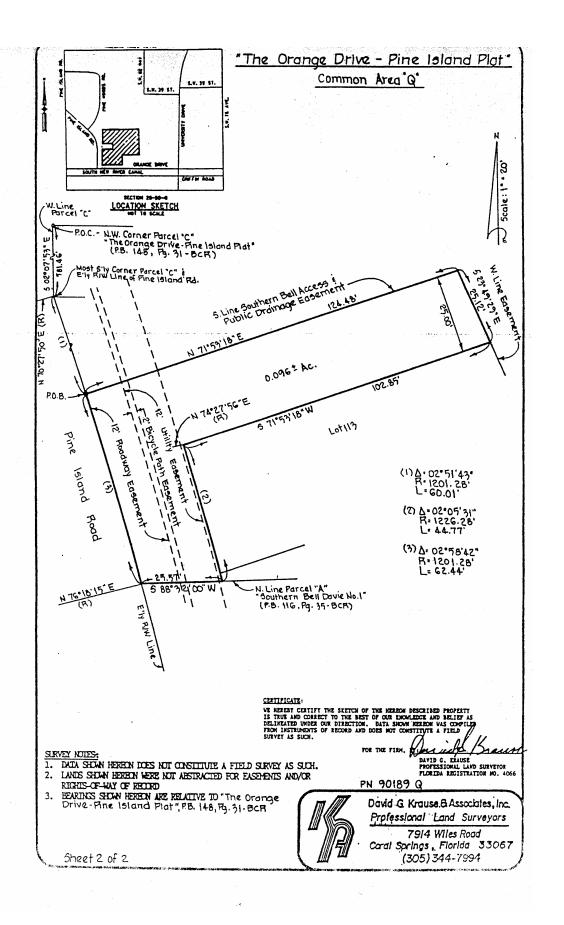
Thence South 71°53'18" West. 102.85 feet along a line lying 25:00 feet (as measured at right angles) southeasterly of and parallel with the southeasterly line of the aforementioned easement. said point being on the arc of a nontangent curve (radial line through said point bears North 74°27'56" East):

Thence southeasterly along the arc of said curve being concave to the southwest, having a radius of 1,226.28 feet, a central angle of 02'05'31" and an arc length of 44.77 feet to a point on the north line of Parcel "A". SOUTHERN BELL DAVIE NO. 1 as recorded in Plat Book 116. Page 35 of the Public Records of Broward County, Florida:

Thence South 88°32'00" West, 25.57 feet along said line to a point on the easterly right-of-way line of the aforementioned Pine Island Road, said point being on the arc of a nontangent curve (radial line through said point bears North 76°18'15" East);

Thence northwesterly along said line and the arc of said curve being concave to the southwest, having a radius of 1,201.28 feet, a central angle of 02\*58'42" and an arc length of 62.44 feet to the POINT OF BEGINNING.

Said land lying in the town of Davie, Broward County, Florida containing 0.096 acres more or less.



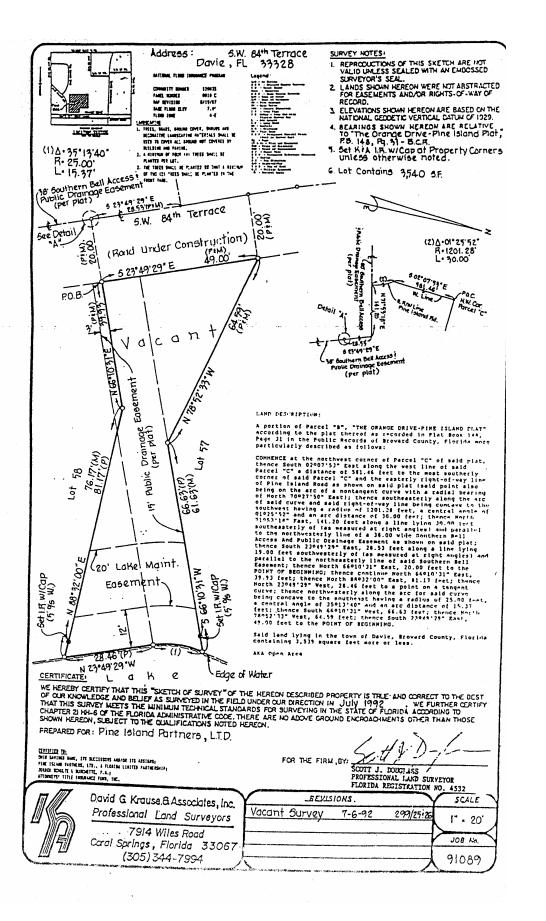
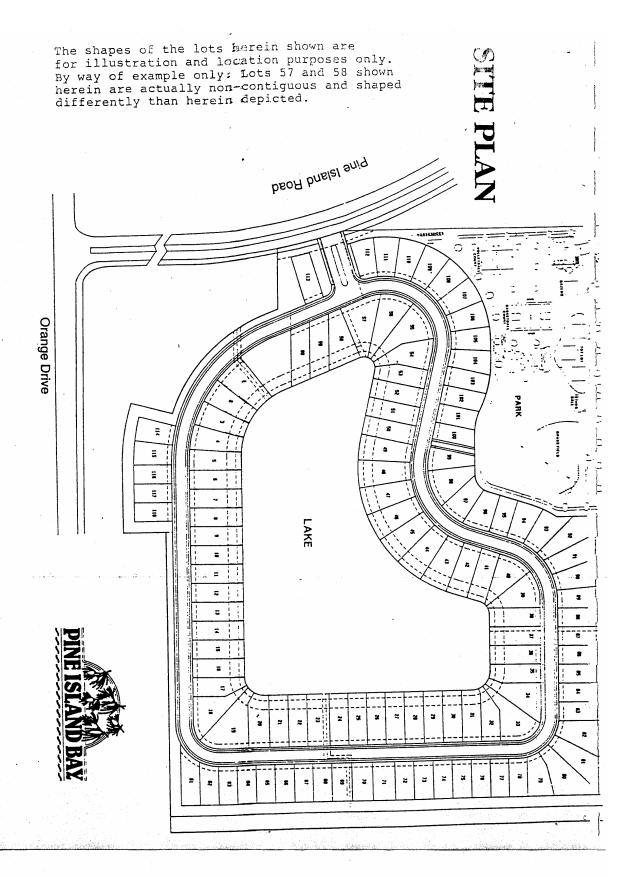


EXHIBIT "E"

BITE PLAN

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